IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.765 OF 2005

Transasia Bio Medical Ltd. ... Petitioner
v/s.
Union of India & ors. ... Respondents

Mr.M. Nadumpara for petitioner.

Ms.S.V.Bharucha for res.Nos.1 to 3.

Mr.Niranjan Pandit, AGP for res.No.4.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATED : 28TH MARCH 2005

P.C. :

1. Heard Mr.Nadumpara in support of this petition. Ms.Bharucha appears for respondent Nos.1, 2 and 3. Mr.Pandit, AGP is present for respondent No.4.

2. The petitioner has filed an appeal to the Appellate Tribunal for Foreign Exchange. During the pendency of that proceeding, an application has been filed for dispensation of pre-deposit. That application has been filed way back in June 2004 and it is not being decided as yet. All that is expected is that such an application should be

decided expeditiously.

3. We, therefore, direct the Appellate Tribunal to decide the pending application for dispensation, if the same is not decided so far, within six weeks from the receipt of this order. In the facts of the present case, respondent No.4-Naib Tahsildar will not proceed to execute the order and recover the amount as per the original order in the meanwhile. Petition is disposed of.

4. The petitioner will intimate this order to respondent No.4.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)